IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : MAVUNKEL, et al.,

Serial No. : 10/618,573 Art Unit: 1625

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Commissioner for Patents Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office, in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

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Scios Inc. 6500 Paseo Padre Parkway Fremont, CA 9455 DATED: November 13, 2006

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